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**Financing of the International Criminal Tribunal
for the Prosecution of Persons Responsible for Genocide
and Other Serious Violations of International Humanitarian
Law Committed in the Territory of Rwanda and Rwandan
Citizens Responsible for Genocide and Other Such Violations
Committed in the Territory of Neighbouring States between
1 January and 31 December 1994**

**Budget for the International Criminal Tribunal for the
Prosecution of Persons Responsible for Genocide and Other
Serious Violations of International Humanitarian Law
Committed in the Territory of Rwanda and Rwandan
Citizens Responsible for Genocide and Other Such
Violations Committed in the Territory of Neighbouring
States between 1 January and 31 December 1994, for the
biennium 2006-2007**

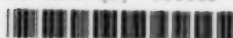
Report of the Secretary-General

Summary

The present report is submitted in compliance with General Assembly resolutions 58/253 of 23 December 2003 and 59/273 of 23 December 2004. It contains the resource requirements for the biennium 2006-2007 for the International Criminal Tribunal for Rwanda. The report on the outreach programme of the Tribunal, requested by the Assembly in its resolution 59/273, is contained in the annex.

The resources for the biennium 2006-2007, before recosting, amount to \$261,640,400 gross (\$237,265,600 net), including growth in real terms of \$5,759,100 net or 2.5 per cent, compared with the revised appropriation for the biennium 2004-2005.

* A/60/150.



I. Overview

1. The International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 was established by the Security Council in its resolution 955 (1994) of 8 November 1994 with the power, according to articles 2, 3 and 4 of its statute, to prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for genocide and other violations of international humanitarian law committed in the territory of neighbouring States between 1 January and 31 December 1994. In accordance with article 10 of its statute, the Tribunal consists of three organs, namely, the Chambers, the Office of the Prosecutor and the Registry.

2. By its resolution 1329 (2000) of 30 November 2000, the Security Council expressed its continuing conviction that in the particular circumstances of Rwanda, the prosecution of persons responsible for genocide and other serious violations of international humanitarian law contributed to the process of national reconciliation and to the restoration and maintenance of peace in Rwanda and in the region.

3. On 28 August 2003, the Security Council, in its resolution 1503 (2003), called upon the Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010 (the completion strategy). The Council again emphasized the importance of implementing fully the completion strategy of the Tribunal in its resolution 1534 (2004) of 26 March 2004.

4. In view of the foregoing, the Tribunal has developed its completion strategy, which comprises two main pillars: (a) the fair and expeditious completion of trials at the Tribunal, in accordance with the deadlines set in Security Council resolutions 1503 (2003) and 1534 (2004), of those who bear the greatest responsibility for the crimes committed in 1994; and (b) the transfer of cases to national jurisdictions. On 24 May 2005, a revised and updated version of the completion strategy was submitted for the consideration of the Security Council (see S/2005/336, enclosure).

5. At the time of submission of the present report, the Tribunal has handed down 19 judgements involving 25 accused since the first trial started in January 1997. Of those, 22 were convicted and 3 acquitted. Six of the convicts are presently serving sentences in Mali. Furthermore, nine trials, involving 25 detainees, are currently in progress. Judgements in two of those trials are expected by the end of 2005. Consequently, at the start of the biennium 2006-2007, the total number of accused whose trials have been completed or are in progress is 50.

6. Sixteen detainees in Arusha are awaiting trial. The Prosecutor intends to transfer 5 of them to national jurisdictions for trial and the remaining 11 will be brought to trial from 2006 onwards.

7. It is estimated that during the biennium 2006-2007, there will be 18 cases in trial, 11 new cases and 7 existing cases involving 34 accused (*Butare* (6 accused), *Military I* (4 accused), *Government* (4 accused), *Keremera et al.* (3 accused), *Rwamakuba*, *Military II* (4 accused), *Muvunyi*, *Nchamihigo*, *Mpambara*, *Rukundo*,

Zigiranyirazo, Kareera, Bisengimana, Nzabirinda, Bikindi, Nsengimana, Gatete and Renzaho). At the same, it is anticipated that by the end of the biennium, trials of the five existing multi-accused cases, involving 21 accused (*Butare, Military I, Government, Karemera et al. and Military II*) will be completed. Regardless of the outcome of the decisions, it is anticipated that most of those cases will be appealed.

8. With respect to appeals, 10 appeals involving 13 accused are currently proceeding on the merits. It is anticipated that during the biennium 2006-2007, 18 additional appeals will commence owing to the possible increase in conviction of the trials that are expected to be completed by the end of the biennium 2006-2007.

9. During the biennium 2006-2007, the Prosecution will place emphasis on: (a) completing the transfer of the evidence against 30 to 40 former targets of investigation to national jurisdictions; (b) seeking judicial approval under rule 11 bis of the Rules of Procedure and Evidence of the International Criminal Tribunal for Rwanda to refer the cases against 5 of the 16 detainees currently awaiting trial to national jurisdictions for trial; (c) tracking and arrest of 14 indictees who remain at large, while, at the same, seeking judicial approval under rule 11 bis of the Rules of Procedure and Evidence to transfer the cases of 4 indictees to national jurisdictions; and (d) presenting eight additional indictments for confirmation and later seeking judicial approval for the transfer of four of those indictments to national jurisdictions under rule 11 bis.

10. As the Tribunal shifts emphasis from investigations and arrests to trials, the Prosecution Division will be restructured to strengthen its operational capacity with respect to trial attorneys in order to respond to the increased demands related to pre-trial, trial and appeals. Along those lines, the Investigations Division, based in Kigali, will undergo a reduction with respect to posts, from 106 to 60 posts.

11. Under the new structure, the Investigations Division will be organized around the support work required by trial and appeals teams in the three phases of trial work: pre-trial, trial and appeals. In addition, the Division will continue to provide support to the tracking and arrest of the 10 indictees who remain at large and to the transfer of rule 11 bis cases and investigations dossiers to local courts. As a result, 15 posts (1 P-4, 2 P-3, 8 P-2 and 4 GS/OL) will be redeployed to strengthen the Judicial and Legal Services Division of the Registry and 31 posts will be redeployed within the Office of the Prosecutor.

12. At the same, the number of cases reaching the appeals stage and the frequency of interlocutory appeals in complex trials will require the upgrading of the Appeals Section in the Office of the Prosecutor to an Appeals and Legal Advisory Division, to be headed by a D-1 post (see para. 32). In this respect, the proposal includes the redeployment of the post currently established for the Director of Investigations as well as the redeployment of Investigators' posts required to increase the number of appeals attorneys by 26 (2 P-5, 3 P-4, 10 P-3, 11 P-2). Furthermore, four posts at the GS/OL level will be redeployed from the Investigations Division to support the new division.

13. The overall resources required for the biennium 2006-2007 for the Tribunal amount to \$261,640,400 gross (\$237,265,600 net), before recosting, reflecting an increase in resources, before recosting, of \$5,730,900 gross, or 2.2 per cent (\$5,759,100 net or 2.5 per cent) when compared to the revised appropriation for the biennium 2004-2005. The overall level of resources, as indicated in tables 2 and 3

below, will provide for the continuation of 1,042 temporary posts and reflects, inter alia, increased requirements under the Chambers (\$453,800) and the Registry (\$10,886,900) offset by reductions under the Office of the Prosecutor (\$5,609,800).

14. The recosting of the proposed budgetary provisions at 2006-2007 rates contained in the present report is preliminary. For salaries related to posts in the Professional and higher categories, adjustments reflect the projected movement of post adjustment indices in 2005. Similarly, with regard to General Service salaries, recosting includes the forecast of probable cost-of-living adjustments based on anticipated inflation rates. The average vacancy rates for Professional and General Service posts realized in 2004 are proposed for 2006-2007. No attempt is made to forecast the movement of the relevant currency vis-à-vis the United States dollar at this time. The proposed budget will be recosted in December 2005, based on the latest data on actual inflation experience, the movement of post adjustment indices in 2005, the outcome of salary surveys, if any, salary expenditure experience and evolution of operation rates of exchange in 2005.

15. The amount of extrabudgetary resources, estimated at \$3,624,500, will be utilized for activities related to supporting the work of the Office of the Prosecutor and the Registry.

16. The distribution of resources proposed for the Tribunal for the biennium 2006-2007 is reflected in tables 1-3 below.

Table 1
Percentage distribution of resources by component

	Assessed budget	Extrabudgetary
1. The Chambers	3.9	—
2. Office of the Prosecutor	24.7	13.8
3. The Registry	71.4	86.2
Total	100.0	100.0

Table 2
Summary of requirements
(Thousands of United States dollars)

(1) Assessed budget

Component	2002-2003 expenditure	2004-2005 appropri- ation	Resource growth		Total before recosting	Recosting	2006-2007 estimate
			Amount	Percentage			
Expenditure							
1. The Chambers	5 226.0	9 657.1	453.8	4.7	10 110.9	267.2	10 378.1
2. Office of the Prosecutor	51 544.5	70 212.3	(5 609.8)	(8.0)	64 602.5	6 016.2	70 618.7
3. The Registry	151 572.5	176 040.1	10 886.9	6.2	186 927.0	16 349.4	203 276.4
Total (gross)	208 343.0	255 909.5	5 730.9	2.2	261 640.4	22 632.8	284 273.2

Component	2002-2003 expenditure	2004-2005 appropriation	Resource growth		Total before recosting	Recosting	2006-2007 estimate
			Amount	Percentage			
Income							
Income from staff assessment	21 376.0	24 403.0	(28.2)	(0.1)	24 374.8	999.6	25 374.4
Total (net)	186 967.0	231 506.5	5 759.1	2.5	237 265.6	21 633.2	258 898.8

(2) Extrabudgetary resources

	2002-2003 expenditure	2004-2005 estimate	2006-2007 estimate
Activities	1 378.9	2 926.1	3 624.5
Total	1 378.9	2 926.1	3 624.5
Total (1) and (2)	188 345.9	234 432.6	262 523.3

Table 3
Post requirements

Category	Assessed budget		Extrabudgetary		Total	
	2004- 2005	2006- 2007	2004- 2005	2006- 2007	2004- 2005	2006- 2007
Professional and above						
Under-Secretary-General	1	1	—	—	1	1
Assistant Secretary-General	1	1	—	—	1	1
D-2	1	1	—	—	1	1
D-1	4	4	—	—	4	4
P-5	31	31	—	—	31	31
P-4/3	257	257	—	—	257	257
P-2/1	119	119	—	—	119	119
Subtotal	414	414	—	—	414	414
General Service and other						
Principal level	7	7	—	—	7	7
Other level	187	187	—	—	187	187
Security Service	87	87	—	—	87	87
Local level	322	322	—	—	322	322
Field Service	25	25	—	—	25	25
Subtotal	628	628	—	—	628	628
Total	1 042	1 042	—	—	1 042	1 042

II. Programme of work and resource requirements

A. The Chambers

17. The Chambers comprise nine permanent trial judges and nine ad litem judges in Arusha, United Republic of Tanzania. It is the judicial organ of the Tribunal, performing its core function: the determination of guilt or innocence of persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States between 1 January and 31 December 1994.

18. The appeals chamber consists of seven permanent appeals judges in The Hague, five of whom are financed from the International Tribunal for the Former Yugoslavia and two of whom are charged to the budget of the International Criminal Tribunal for Rwanda.

19. During the first 18 months of the biennium 2004-2005, the Tribunal had 13 trials running, involving 29 accused. Judgement in 6 of the trials involving 8 accused was delivered during that period (*Kamuhanda*, *Cyangugu* (3 accused), *Gacumbitsi*, *Ndindabahizi*, *Rutaganira*, and *Muhimana*).

20. At the same time, the appeals chamber dismissed the appeals and affirmed the convictions of Eliezer Niyitegeka, former Minister of Information in Rwanda's interim Government in 1994, and Elizaphan Ntakirutimana, former pastor of the Seventh Day Adventist Church in Mugonero, and his son, Gérard Ntakirutimana, a doctor.

21. On 1 March 2005, the Tribunal inaugurated its fourth courtroom, thereby increasing its judicial output. The Governments of Norway and the United Kingdom contributed a total of \$420,000 to cover the construction and operating expenses of the fourth courtroom.

22. During the biennium 2006-2007, the Chambers anticipates to work on the following: 7 trials, 11 pre-trial procedures, 36 appeals from final trial chamber judgements and all interlocutory appeals arising from the foregoing. The Chambers will continue to consider applications by the Prosecutor to transfer cases to national jurisdictions. It is to be noted that such transfers will require significant work from Chambers judges and staff to ensure a smooth transition.

Outputs

23. During the biennium 2006-2007, the following outputs will be delivered:

(a) Courtroom activities: orders for the transfer and detention of suspects, initial appearances, hearings on pre-trial motions, status conferences, pre-trial conferences, pre-defence conferences, reviews of and orders for protection measures for witnesses, trials, issuance of judgements of acquittal under rule 98 bis, issuance of final judgements, sentencing procedures, reviews and deferrals, suspensions of indictments under rule 11 bis and issuance of restitution orders in appropriate cases;

(b) Judicial activities: review and confirmation or dismissal of indictments or counts thereof, deliberations, consideration of applications for orders and

warrants, taking of depositions, holding of informal scheduling conferences, consideration of amicus curiae applications and supervision of imprisonment;

(c) Reports of the President to the Security Council, on the request of a trial chamber or the Prosecutor, as to non-compliance by States with orders of the Tribunal;

(d) Annual report to the General Assembly and the Security Council under article 32 of the statute;

(e) Appeals for international assistance to States;

(f) Discussion of issues of mutual concern and matters of policy and consideration and modification of the Rules of Procedure and Evidence and other basic texts of the Tribunal;

(g) Issuance of definitive editions of the Rules of Procedure and Evidence and the basic texts of the Tribunal in both working languages of the Tribunal, in both hard-copy and electronic formats;

(h) Research in international and national law and preparation, drafting, editing and issuance of all such documents, in both working languages of the Tribunal, in both hard-copy and electronic formats;

(i) Press releases on matters of importance to the Tribunal as a whole;

(j) Special events: hosting visiting dignitaries, usually at the ambassador or foreign minister level, and meeting heads of State, explaining courtroom activities and the functioning of the Tribunal, establishing and maintaining high-level contacts with Governments of Member States to facilitate and improve cooperation with the Tribunal, swearing in new judges and hosting judges from other jurisdictions;

(k) Non-governmental organizations: responding to a few of the large number of requests for speakers and participation in seminars, conferences and symposiums on all aspects of judicial activity;

(l) Participation in activities within the United Nations system: annual statement by the President to the General Assembly and participation in meetings concerning the role of the Tribunal within the United Nations system, cooperation with the International Tribunal for the Former Yugoslavia and participation in discussions concerning other international judicial entities.

Table 4
Resource requirements

Category	Resources (thousands of United States dollars)		Posts	
	2004-2005	2006-2007 (before recosting)	2004-2005	2006-2007
Assessed budget				
Non-post	9 657.1	10 110.9	—	—
Total	9 657.1	10 110.9	—	—

24. The amount of \$10,110,900, representing an increase of \$453,800, covers the costs of compensation for the 20 judges, including two permanent appeals judges in The Hague, and travel requirements for the judges. The increase is attributable to the decision taken by the General Assembly in its resolution 59/282 of 13 April 2005 to increase the salary and pension of judges by 6.3 per cent, effective 1 January 2005, as an interim measure, pending review of the emoluments, pensions and other conditions of service of the judges at the Assembly's sixty-first session. Estimates contained in the present document may need to be adjusted in light of decisions taken at that time. The estimates also include increase in travel requirements owing to an increase in the number of appeal judges who travel to Arusha, from five to seven, and increases in travel costs.

B. Office of the Prosecutor

25. The Office of the Prosecutor is responsible for the prosecution of persons suspected of bearing the highest responsibility for the commission of genocide and other serious violations of international humanitarian law committed in the territory of the Republic of Rwanda in 1994 as well as Rwandans who are suspected of committing such acts in neighbouring territories between 1 January and 31 December 1994. The role and responsibilities of the Prosecutor consist in the investigation and prosecution of the crimes listed in the statute of the International Criminal Tribunal for Rwanda, namely, article 2, on genocide, article 3, on crimes against humanity, and article 4, on violations of article 3 common to the Geneva Conventions and of Additional Protocol III. He is therefore responsible for the collection of evidence establishing the commission of such crimes, the tracking and arrest of those he indicts and the presentation of charges and evidence against them before the Chambers of the Tribunal.

26. During the biennium 2004-2005, the work of the Office of the Prosecutor intensified as the implementation of the completion strategy began to unfold. During this period, the Office has been heavily involved in meeting the first major target of the completion strategy, namely the completion of 16 new investigations. The files involving eight of those persons have closed owing to insufficient evidence, whereas the eight indictments in respect of the remaining eight suspects have been submitted for confirmation. It is the intention of the Prosecutor to transfer four of the indictments to national jurisdictions for trial.

27. In February 2005, the Office of the Prosecutor took another major step towards the realization of the completion strategy as it commenced the process of transferring cases under rule 11 bis and investigation dossiers to national jurisdictions. As at the time of submission of the present report, a total of 21 dossiers have been handed down to the Ministry of Justice of the Republic of Rwanda for further investigation and prosecution. On the Rwandan side, the Government has published a law for comment which would facilitate the transfer to Rwanda for trial of persons accused under the terms of rule 11 bis. It is anticipated that the first motions would be filed during the second half of 2005.

28. The Prosecutor has begun the intensification of the programme for the tracking and apprehension of 14 indicted suspects who remain at large, of whom the Prosecutor intends to transfer four to national jurisdictions for trial. The programme involves visiting headquarters of Member States and talking to the highest

authorities about cooperation. Among others, he has visited countries such as Kenya, the Democratic Republic of the Congo, the Congo, the Central African Republic and Cameroon and held in-depth discussions with top senior government officials and secured their commitment to cooperate in the intensification of the effort to apprehend fugitives. That programme is coupled with a revised tracking strategy on the ground of the Office of the Prosecutor which envisages members of the Tracking Unit spending a lot more time on the ground in the countries where the fugitives are believed to be hiding.

29. With the completion of new investigations and the inauguration of the fourth courtroom, prosecution and trial work has increased. It is anticipated that during the biennium 2006-2007, the Office of the Prosecutor will be dealing with the prosecution of 18 cases involving 34 accused (*Butare* (6 accused), *Military I* (4 accused), *Government* (4 accused), *Military II* (4 accused), *Keremera et al.* (3 accused), *Rwamakuba* (1 accused), *Muvunyi* (1 accused) and 11 single accused trials of detainees presently at the United Nations Detention Facility). Of those cases, it is expected that judgements in respect of five cases (*Butare*, *Military I*, *Government*, *Keremera et al.* and *Military II*) will be completed during the biennium 2006-2007, whereas the remainder will continue beyond 2007.

30. At the same, the appeal work is also expected to increase considerably owing to the expected completion by 2007 of five of the existing multi-accused cases, involving 21 accused. Moreover, it is anticipated that judgement in respect of seven single accused cases will also take place during the biennium 2006-2007, thereby further increasing the workload of the Appeals Section. In sum, the Office of the Prosecutor estimates that during the biennium 2006-2007, some additional 30 cases will be reaching the appeal stage.

31. In line with those developments, the Investigations Division will be reorganized and restructured to provide support in respect of (a) preparation of cases for trial, (b) actual trial support, (c) tracking of indicted fugitives and crucial witnesses, (d) coordination of confidential sources and sensitive witnesses and (e) supporting ongoing appeals and preparation of cases earmarked for transfer to national jurisdiction. Such work is essential not only for the effective implementation of the completion strategy but also for the conduct of criminal trials. The reorganization will consist of the reduction of 46 posts (38 posts at the Professional level and 8 posts at the General Service level) effective 1 January 2006. Further reductions will be proposed in the context of subsequent budget proposals.

32. Similarly, as mentioned in paragraph 12, with the anticipated increase in the number of appeals, the Appeals Section will be upgraded to an Appeals and Legal Advisory Division through the redeployment of 31 posts from the Investigations Division. The new Division will be headed by a Chief of Appeals and Legal Advice at the D-1 level and will be supported by an additional 26 trial attorneys (2 P-5, 3 P-4, 10 P-3, 11 P-2) and an additional four Legal Assistants at the GS/OL level.

Table 5

Objectives for the biennium, expected accomplishments and indicators of achievement

Objective: To meet the requirements of the Security Council with regard to the investigation and prosecution of persons who bear the highest responsibility for the violation of international humanitarian law in a fair manner and within a time frame that facilitates the implementation of the completion strategy.

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
(a) Effective management and implementation of the completion strategy	(a) Number of prosecutions <i>Performance measures</i> 2002-2003: 5 cases involving 8 accused 2004-2005 estimate: 7 cases involving 22 accused 2006-2007 target: 23 cases involving 39 accused
(b) Completion of new investigations	(b) Number of arrests <i>Performance measures</i> 2002-2003: 8 2004-2005 estimate: 9 2006-2007 target: 8
(c) Facilitation of appeals to successful conclusion	(c) Number of appeals concluded <i>Performance measures</i> 2002-2003: 2 2004-2005 estimate: 3 2006-2007 target: 17
(d) Transfer of dossiers to national jurisdictions	(d) Number of dossiers transferred <i>Performance measures</i> 2002-2003: not applicable 2004-2005 estimate: 30 2006-2007 target: 10

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
(c) Transfer of cases to national jurisdictions under rule 11 bis	(c) Number of cases transferred
	<i>Performance measures</i>
	2002-2003: not applicable
	2004-2005 estimate: 8
	2006-2007 target: 5

External factors

33. The Office is expected to meet its objectives and expected accomplishments on the assumption that:

- (a) Witnesses are available;
- (b) The security and safety of witnesses are ensured in cooperation with national Governments;
- (c) Member States, non-governmental organizations and the international community remain supportive of the overall mission and vision of the Tribunal;
- (d) Member States cooperate in the arrest of indicted persons.

Outputs

34. During the biennium, the following outputs will be delivered:

(a) Investigative: witness and expert witness statements, summaries of witness interviews, witness schedules and protective measures for witnesses; reports on the arrest of fugitives, intelligence related to suspects and fugitives, the collection of evidence relevant to investigations, trials and appeals and requests for assistance; witness binders; briefs of evidence for the submission of indictments; unofficial translations and English summaries of documentation in the local language; and indictment reviews;

(b) Prosecution: filings related to the prosecution of cases and appeals, including indictments and amended indictments; motions, responses to defence motions, witness statements, opening briefs, closing briefs, sentencing briefs, appeals on the merits, interlocutory appeals, plea agreements, miscellaneous applications for subpoenas, search warrants, the detention of suspects and the transmission of arrest warrants;

(c) Trial preparation: exhibits, witness summaries, extensive searches for relevant material to be disclosed to the defence, training courses, including legal issues, advocacy and legal opinions on issues of international law;

(d) Management: policy papers and directives, guidelines related to legal practice, annual reports, funding proposals and budget preparation; reports on activities of States relevant to cooperation; press releases, speeches, statements and briefings; and training of staff of the Prosecutor's Office.

Table 6
Resource requirements

Category	Resources (thousands of United States dollars)		Posts	
	2004-2005	2006-2007 (before recosting)	2004-2005	2006-2007
Assessed budget				
Post	57 839.3	52 855.3	240	225
Non-post	4 007.5	3 855.3	—	—
Staff assessment	8 365.5	7 891.9	—	—
Subtotal	70 212.3	64 602.5	240	225
Extrabudgetary	473.1	500.0	—	—
Total	70 685.4	65 102.5	240	225

35. Resources under posts and staff assessment in the amount of \$52,855,300 and \$7,891,900, respectively, would provide for the continuation of 225 temporary posts. The net decrease of \$4,984,000 for posts and \$473,600 for staff assessment is attributable to the redeployment of 46 posts from the Investigations Division in Kigali to Arusha, including the outward redeployment of 15 posts to the Registry.

36. The total non-post resources requested in the amount of \$3,855,300, reflecting a decrease of \$152,200, will provide for fees and travel of consultants and expert witnesses, official travel of staff and operational expenses. The net decrease is attributable to reduced travel requirements under the Prosecution Division (\$388,900), partially offset by increases under consultants and experts (\$40,700) and operating expenses (\$196,000).

C. The Registry

37. The Registry is responsible for the judicial administration and servicing of the Tribunal. It is composed of three main organizational units, namely, the Immediate Office of the Registrar, the Judicial and Legal Services Division and the Division of Administrative Support Services. For budgetary purposes, the resident auditor and investigators, while reporting directly to the Office of Internal Oversight Services, are reflected under the Registry.

38. During the biennium 2006-2007, the Registry will continue to focus on the implementation of a sound and realistic completion strategy, the main objectives of which include: (a) providing support for the expeditious and fair trials of top-level accused; and (b) the transfer of middle and lower-level cases to competent national jurisdictions.

39. In support of those objectives, the Registry has implemented several control measures, including limiting the number of reimbursable hours during the pre-trial and appellate stages and limiting the presence of the Defence Team members in Arusha during the trial stage, which contributed to more effective operations of the Tribunal. In addition, the Registry is in the process of introducing the lump-sum system of payment under the legal aid programme during the pre-trial, trial,

appellate and review stages in line with the recommendation of the Board of Auditors.

40. The External Relations and Strategic Planning Section hosted several exhibitions in Dar es Salaam and Arusha, Kigali (Rwanda) and Boston, produced a 12-minute documentary film showcasing the work of the Tribunal on the tenth anniversary of the genocide, conducted six workshops attended by 250 professionals aimed at strengthening their knowledge of Rwandan officials in areas such as international criminal laws and legal documentary techniques, arranged for the provision of bursaries to 12 Rwandan law students who carried out thesis research in areas linked to the work of the Tribunal, and published and distributed several documents in English, French and Kinyarwanda.

41. The Legal Library and Reference Section integrated the library catalogue, periodicals and loans, implemented the use of bar codes and the automation of loan registration and introduced the Online Public Access Catalogue. The Section also issued the second edition of the CD-ROM entitled "ICTR Basic Documents and Case Law 2001-2002".

42. The Division of Administrative Support Services undertook various initiatives that improved the efficiency of administrative support and cut down costs in the areas of human resources, budget and finance, telecommunications and general support services. Such measures included the recruitment of qualified spouses of staff members in line with other measures contemplated to retain staff members; the introduction of e-pay slips and the direct deposit of salaries; the introduction of the Workload Indicators database system for the centralized monitoring and tracking of the workload indicators and the measurement of performance; the implementation of the online telephone billing system, the use of PIN codes for all external communications and the use of videoconferencing for meetings and remote witness testimonies; the introduction of the fuel consumption module and the online processing of transport requests and building management service orders.

Table 7

Objectives for the biennium, expected accomplishments and indicators of achievement

Objective: To ensure appropriate and successful implementation of the Tribunal's legal and administrative support activities in compliance with the regulations and rules of the United Nations and with a view to supporting the completion strategy.

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
(a) Timely implementation of actions taken pursuant to the completion strategy	(a) Number of actions completed on time
	<i>Performance measures</i>
	2002-2003: not applicable
	2004-2005 estimate: 12
	2006-2007 target: 13

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
(b) Strengthened cooperation of Member States on enforcement of sentence matters	(b) Number of new memorandums of understanding concluded with Member States <i>Performance measures</i> 2002-2003: 3 2004-2005 estimate: 4 2006-2007 target: 6
(c) Increased public awareness of the work of the Tribunal	(c) Number of inquiries with respect to the work of the Tribunal <i>Performance measures</i> 2002-2003: 3,500 inquiries 2004-2005 estimate: 3,780 inquiries 2006-2007 target: 5,200 inquiries
(d) Timeliness of proceedings	(d) Reduction in delays in the distribution of judicial documents <i>Performance measures</i> 2002-2003: 48 to 72 hours 2004-2005 estimate: 48 hours 2006-2007 target: same day to 24 hours
(e) Improved dissemination of judicial records to the parties and indirectly to the public through the Internet	(e) (i) All judicial records filed with the Registry are received, filed, copied and digitized within a 24-hour period (ii) All public judicial records are available through the Tribunal's website within 10 working days <i>Performance measures</i> 2002-2003: judicial records are processed within 24 hours and placed on the website within 6 months 2004-2005 estimate: judicial records are processed within 24 hours and placed on the website within 48 hours 2006-2007 target: judicial records are received, filed, scanned and disseminated within 48 hours

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
(f) Faster turnaround time for decisions and orders after the conclusion of pleadings	(f) Maximum deadline of five days after initial deliberations of the first draft <i>Performance measures</i> 2002-2003: 6 days 2004-2005 estimate: 6 days 2006-2007 target: 5 days
(g) Strengthened services provided to staff, Member States, vendors and other entities	(g) Increase in client's satisfaction level with respect to the accuracy and quality of services provided <i>Performance measures</i> 2002-2003: 65 per cent 2004-2005 estimate: 90 per cent 2006-2007 target: 100 per cent
(h) Reform of the legal aid system	(h) Reduction in the number of cases for which payments are in excess of agreed-upon thresholds <i>Performance measures</i> 2002-2003: not applicable 2004-2005 estimate: 272 claims 2006-2007 target: 0 claims

External factors

43. The Office is expected to meet its objectives and expected accomplishments on the assumption that:

(a) Member States continue to cooperate in the arrest and transfer of indicted persons and in the provision of information;

(b) There are no delays in the proceedings for reasons beyond the control of the Tribunal, including illness of the accused, unforeseen disclosure of material, requests for replacement of defence counsel, review of cases already tried and the availability of witnesses to certify statements and provide testimony.

Outputs

44. During the biennium the following outputs will be delivered:

(a) Providing policy guidance and executive direction for the coordination and implementation of a sound and realistic completion strategy;

(b) Providing consistently effective judicial support services to the Chambers and the Office of the Prosecutor, undertaking continuous review of reforms already in place and carrying out a regular consultative process with the judges and the Prosecutor in this context;

(c) Resolving, in cooperation with the Office of Legal Affairs at Headquarters, legal and practical problems with regard to the enforcement of sentences and supervising the practical enforcement of sentences in countries that have signed agreements with the United Nations for that purpose;

(d) Monitoring the implementation by relevant parts of the Registry of measures to eliminate abuses of the legal aid system of the Tribunal;

(e) Sustaining and improving the level of cooperation and political and operational support for the Tribunal by external counterparts, such as Governments and non-State entities;

(f) Formulating and implementing an aggressive strategy for mobilizing resources for the trust fund for the Tribunal for the execution of important projects that are key to the discharge of its mandate;

(g) Continuing systematic efforts to improve the image and visibility of the Tribunal through the effective dissemination of public information and the accurate projection of its work at appropriate levels, as well as the conduct of appropriate programmes for visitors to the Tribunal, who are frequently high-level individuals and institutions;

(h) Providing direct judicial assistance to the trial chambers and the appeals chambers, such as legal research, drafting and other judicial support; preparation of the judicial calendar, maintenance and scheduling of courtrooms; and the recording, maintenance and registration of records of judicial proceedings, transcripts, motions, orders, decisions, judgements and sentences; provision and maintenance of the detention facilities; development and maintenance of a system to remunerate defence counsel; and assistance to prosecution and defence witnesses testifying before the Tribunal;

(i) Providing administrative services for all activities of the Tribunal in the areas of human resources management; budget and finance; general services, building management and transport; information technology; security and safety; procurement; and health services. It will also continue to support the services of the United Nations Detention Facility.

Table 8
Resource requirements

Category	Resources (thousands of United States dollars)		Posts	
	2004-2005	2006-2007 (before recosting)	2004-2005	2006-2007
Assessed budget				
Post	113 374.7	116 196.8	802	817
Non-post	46 627.9	54 247.3	—	—
Staff assessment	16 037.5	16 482.9	—	—
Subtotal	176 040.1	186 927.0	802	817
Extrabudgetary	2 453.0	3 124.5	—	—
Total	178 493.1	190 051.5	802	817

45. Resources amounting to \$186,927,000 would provide for the continuation of 817 temporary posts and various non-post items. The increase in post resources (\$2,822,100) and staff assessment resources (\$445,400) is attributable to the inward redeployment of 15 posts from the Investigations Division (Kigali) of the Office of the Prosecutor to the Judicial and Legal Services Division (Arusha) of the Registry to ensure adequate support to the Chambers and the Office of the Prosecutor in the judicial process.

46. The non-post resource growth of \$7,619,400 relates mainly to increased requirements under: (a) consultants and expert witnesses for the defence (\$452,200); (b) travel of staff (\$88,500); (c) travel and allowance of witnesses and victims (\$414,800); (d) defence counsel fees (\$3,022,400) and other contractual services (\$358,300); (e) operating expenses, including protection and relocation of witnesses (\$1,245,600), enforcement of sentences (\$180,000), rations for detainees (\$41,100) and other operating expenses (\$419,100); (f) replacement of furniture and equipment (\$126,200); and (g) the Tribunal's share of United Nations field security arrangements (\$1,376,900). The increase is partially offset by reduced requirements under improvement of premises (\$105,700).

Table 9
Summary of follow-up action taken to implement relevant recommendations of the Advisory Committee on Administrative and Budgetary Questions and the Board of Auditors

Brief description of the recommendation	Action taken or to be taken to implement the recommendation
A. Advisory Committee on Administrative and Budgetary Questions (A/59/561)	
The Advisory Committee encourages the International Criminal Tribunal for Rwanda to consider the implementation of the lump-sum payment system in respect of the legal aid reform (para. 25).	The Registry implemented several control measures, including limiting the number of reimbursable hours during the pre-trial and appellate stages and limiting the presence of the Defence Team members in Arusha during the trial stage. In addition, the Registry is in

*Brief description of the recommendation**Action taken or to be taken to implement the recommendation*

The Advisory Committee is of the view that disciplinary action with regard to cases of proven fraud should take place in the most expeditious way; staff rules and regulations should be adopted, if necessary, to allow such swift disciplinary action (para. 26).

**B. Board of Auditors
(A/59/5/Add.11)**

The Board recommends that the Tribunal:

(a) Comply with United Nations system accounting standards by not netting accounts payable off against accounts receivable and vice versa;

(b) Improve the financial application system to prevent the netting off of debit and credit amounts (paras. 11 (a) and 26).

The Board recommends that the Tribunal continue to improve and maintain adequate control over non-expendable equipment (para. 33).

The Tribunal agreed with the Board's recommendations that it:

(a) Continue to monitor progress in terms of the completion strategy and take all necessary steps to complete its planned activities on time;

(b) Prepare a completion strategy for the appeals chamber in consultation with the International Criminal Tribunal for the Former Yugoslavia;

the process of introducing the lump-sum system of payment under the legal aid programme during the pre-trial, trial, appellate and review stages.

Appropriate actions have been taken by the Tribunal, including suspension without pay of a staff member and referral of the case to the Office of Human Resources Management for review and advice. With regard to two other cases, staff members have been temporarily reassigned to other units and cases referred to the Office of Human Resources Management for further review and advice.

Stricter measures have been implemented to ensure that accounts receivable and payable are shown separately and not netted off against each other.

Changes have been effected in the design/layout of the reporting module by separating the debits and credits to avoid netting off effects. Consequently, the SUN system is now able to produce separate debit and credit reports of ageing analysis reports.

Asset managers under the field asset control system in Arusha and Kigali have undergone training. Bar code labels have been physically assigned to all active non-expendable assets; physical verification of all non-expendable assets was carried out, and the records in the field asset control system were updated.

Implementation of recommendations (a), (b) and (c) is ongoing. A task force has been set up to look at the possibility of strengthening the appeals chamber by merging the International Criminal Tribunal for Rwanda Appeals Unit with that of the International Criminal Tribunal for the Former Yugoslavia. The task force will be reporting to management in due course.

*Brief description of the recommendation**Action taken or to be taken to implement the recommendation*

(c) Include in its completion strategy a process to obtain donor support for the purpose of addressing factors that may limit the ability of the Tribunal to hand cases over to national judicial systems. The Tribunal could also seek assistance from the United Nations system to create partnerships for obtaining donor support in order to implement judicial reforms in Member States (paras. 11 (c) and 46).

The Board recommends that the Tribunal continue its efforts to verify the financial position of the accused through improved communication with Member States (paras. 11 (f) and 64).

The Board recommends that the International Criminal Tribunal for Rwanda:

- (a) Continue to monitor the submission of invoices by defence counsel using the new software;
- (b) Evaluate the lump-sum system of legal aid at the International Criminal Tribunal for the Former Yugoslavia in order to ascertain whether such a system could assist in limiting the increasing cost of legal aid (para. 70).

The Board recommends that the Tribunal:

- (a) Monitor the costs incurred in securing the attendance of witnesses;
- (b) Continue to recover costs from defence counsel in line with the Registrar's directives (para. 76).

A financial investigator has been recruited and in-house investigations are in progress. In this regard, the active cooperation of Member States is crucial to the successful completion of investigations.

(a) The database needed for this function has been updated; the monitoring of invoices is an ongoing process.

(b) The evaluation has been carried out and presentation has been made to the Registrar and the President. Draft policy has been adopted. Consultations with defence teams are ongoing.

(a) ICTR keeps a record of all expenditures in securing the attendance of witnesses.

(b) Implementation is in progress. It is, however, difficult to come up with a timetable on the implementation of this recommendation since the Witness and Victim Support Section cannot predict the behaviour of Defence Counsel in requesting production of their witnesses, or the exact number of witnesses to be returned to their country of residence without testifying. If a defence witness is brought to Arusha without testifying, the Section will notify the Defence Counsel and the Detention Management Section and request that the Defence Counsel support the costs and associated costs for the movement of the witness. The action has already been envisaged by the Registrar in the directive on costs recovery and the Section complies with the said directive.

*Brief description of the recommendation**Action taken or to be taken to implement the recommendation*

The Board recommends that the Tribunal ensure that the Language Services Section and the Office of the Prosecutor continue to work together to monitor the nature of requests so as to prevent the translation of documents that have no probative value (paras. 11 (g) and 85).

The system has been substantially streamlined whereby the Office of the Prosecutor and the Language Services Section will meet for this purpose at two-week intervals. The Office of the Prosecutor will scan the list of documents provided and identify documents with no probative value.

The Tribunal agreed with the Board's recommendation that it:

(a) Continue to make progress with regard to the implementation of results-based budgeting by introducing more stringent central monitoring mechanisms;

An online database system has been designed to compile and generate workload indicators every quarter. The workload indicators database comprises the initial phase of the envisaged centralized monitoring and tracking system aimed at aligning and linking workload indicators/indicators of achievement with results-based budgeting and completion strategy.

(b) Further develop and update the workload indicators to align with results-based budgeting and the exit/completion strategy (para. 100).

The Board reiterates its previous recommendation that the Tribunal:

(a) Conduct reference checks on all new eligible candidates;

This recommendation is fully implemented.

(b) Maintain accurate and complete records of such reference checks (para. 114).

The Tribunal agreed with the Board's recommendation to take steps to use the general temporary assistance funds in accordance with the purposes for which they were intended (para. 116).

Staff members who were initially recruited against general temporary assistance funds are being gradually placed against authorized posts whenever it is possible.

The Tribunal agreed with the Board's recommendation that it continue its efforts to reduce the vacancy rates, with special emphasis on the Office of the Prosecutor (para. 122).

Intensive efforts exerted by the Tribunal to improve the vacancy rates have been countered by the recruitment freeze effected between May through December 2004. The freeze resulted in a sizeable number of departures from both Professional and General Service staff, a trend which continues to date. To promote greater interest in staff to remain with the Tribunal, a number of special measures to counteract attrition have been jointly proposed by ICTR and ICTY and endorsed by the Office of Human Resources Management, and are reflected in a report that will be submitted to the General Assembly for consideration.

*Brief description of the recommendation**Action taken or to be taken to implement the recommendation*

The Board recommends that the Tribunal expedite its recruitment of appropriate information and communication technology personnel (para. 126).

Recruitment of key personnel has been completed, while the recruitment process for the remaining vacant posts is in the advanced stage.

The Tribunal agreed with the Board's recommendation that it develop, approve and update on a continuous basis an information and communication technology strategic plan to provide for changing circumstances in respect of the requirements of the Tribunal (para. 129).

An information technology strategic plan has been in place since January 2004.

The Board recommends that the Tribunal:

(a) Should expedite the process of approving the disaster recovery plan;

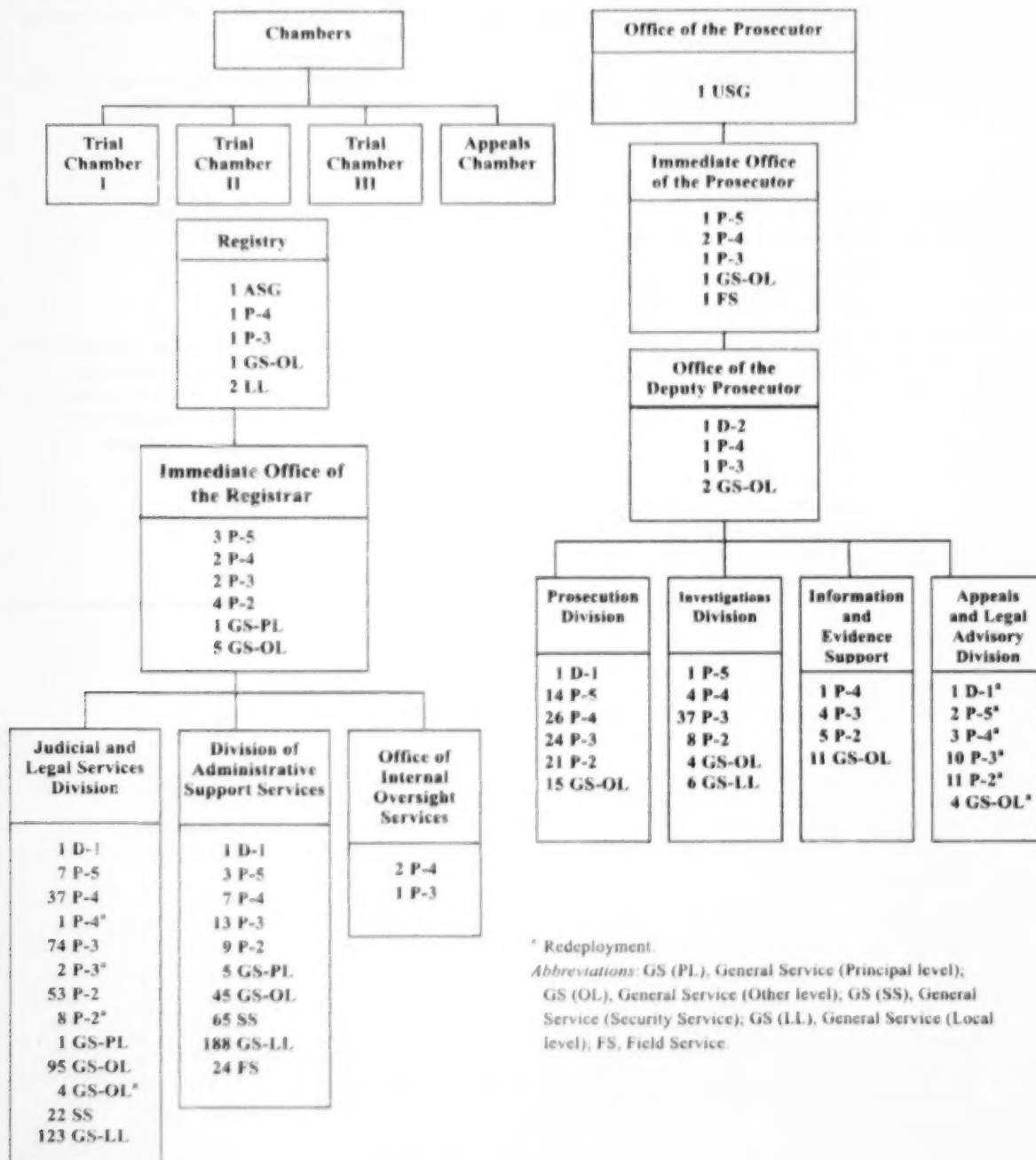
The disaster recovery plan has been developed. The International Criminal Tribunal for Rwanda emergency recovery and business continuity plan has been approved by the Information Technology Committee.

(b) Make staff fully aware of the contents of the plan and monitor full compliance;

(c) Retain a copy of the plan off-site and incorporate it into the change management arrangements to ensure that the plan is routinely updated when hardware and software changes occur (para. 131).

International Criminal Tribunal for Rwanda

Organizational structure and post distribution for the biennium 2006-2007

^a Redeployment.

Abbreviations: GS (PL), General Service (Principal level); GS (OL), General Service (Other level); GS (SS), General Service (Security Service); GS (LL), General Service (Local level); FS, Field Service.

Annex

Report on the outreach programme of the International Criminal Tribunal for Rwanda

I. Introduction

1. In its resolution 59/273, the General Assembly requested the Secretary-General to submit to the Assembly, at its sixtieth session, a report on the outreach programme of the International Criminal Tribunal for Rwanda. The present report sets out an overview of the work of the outreach programme since its inception in 1997.

2. The outreach programme is vital in garnering support for the Tribunal's mission. By virtue of the Tribunal's mandate, the Rwandan population, both within Rwanda and in the diaspora, is the most important target audience for information about the Tribunal and its work. Moreover, the statute of the Tribunal indicates that the prosecutions will "contribute to the process of national reconciliation" and that there is a "need for international cooperation to strengthen the courts and judicial system of Rwanda".

3. In order for the prosecution of the persons responsible for the 1994 genocide to contribute to national reconciliation in Rwanda, it is essential that the Rwandan people and, in particular, their political leaders and other opinion shapers, such as the media and non-governmental organizations, have an understanding of and confidence in the work of the Tribunal. To achieve this, the International Criminal Tribunal for Rwanda has established an outreach programme designed to reach, first and foremost, all sectors of Rwandan society and, second, the rest of the world. It is important to recognize that such an ambitious programme is by necessity multifaceted since the targeted audiences range from uneducated persons with little or no access to modern forms of media to academics and legal practitioners throughout the world. It is equally important to recognize that the outreach programme strives to provide much more than simply an awareness of the work of the Tribunal. Specifically, it includes in-depth specialized training in the international justice process. Its overarching goals of raising awareness and capacity-building are interwoven throughout the following five components (awareness-raising programmes, training of jurists, advocates and human rights practitioners, relationship with academic institutions, media programmes and conferences and exhibitions).

II. Awareness-raising programmes within Rwanda

4. The Tribunal has developed an awareness-raising programme using a range of communication strategies that vary according to the target audience in order to explain the Tribunal's work and its relevance to Rwanda. Particular attention has been given to the availability of printed materials, regular radio broadcasts and speakers in Kinyarwanda. The Tribunal's Umusanzu Information Centre in Kigali continues to be the flagship of the programme. The Tribunal intends to set up new centres in all provinces that will serve as focal points for provincial information activities about the Tribunal.

5. In order to bring the work of the Tribunal closer to the population, staff from the External Relations Section now regularly visit communes in Rwanda to show films and hold discussions on the work of the Tribunal in a more aggressive step to sensitize and inform the average citizen about the justice initiative taking place at a distance from them in Arusha.

III. Training of jurists, advocates and human rights practitioners

6. This activity is one of the cornerstones of the Tribunal's outreach programme. Capacity-building of the Rwandan legal practitioners includes seminars and workshops aimed at strengthening their knowledge in areas such as international humanitarian and criminal law, and their familiarity with the Tribunal's jurisprudence.

7. In March 2005, the Tribunal provided a series of training sessions to enhance the capacity of Rwandan legal librarians in accessing electronic databases to do research in legal sources and archives. Based on the success of those sessions, the senior legal and judicial officials of the Rwandan Government have requested that the Tribunal provide similar training to all librarians working in the Rwandan court system.

8. In an effort to ensure the smooth transfer of cases to national jurisdictions, the Tribunal's outreach programme includes planned working visits to its seat in Arusha for members of the Rwandan judiciary, members of Parliament, human rights practitioners and representatives of civil society.

IV. Relationship with academic institutions

9. The International Criminal Tribunal for Rwanda maintains very strong cooperation with various institutions of higher education. Two of the successful outreach projects are the internship and legal researchers programmes, which provide a number of promising young lawyers with hands-on experience in the core legal functions of the Tribunal. There is also a special programme for Rwandan law students. Under the special programme, six law students are provided with research bursaries which enable them to carry out thesis research in areas that are linked to the work of the Tribunal.

10. In partnership with the Centre for Conflict Management at the National University of Rwanda, the Tribunal is planning a national conference in July 2005 to focus on the contributions of the Tribunal to international justice, protection of human rights, establishing the rule of law and promotion of reconciliation in Rwanda.

V. Media programmes

11. The International Criminal Tribunal for Rwanda has made media relations a priority. One of the most effective ways of reaching the Tribunal's target audiences and thus of changing public opinion has been to use the mass media in and beyond

Rwanda. Access to informational materials has been provided to journalists from around the world to ensure live and up-to-date coverage of the Tribunal's judicial proceedings. Special training in legal reporting has been provided for Rwandan journalists and journalists from countries recovering from conflict.

12. To supplement its ongoing information and communication activities, the Tribunal will produce six movies annually, summarizing and contextualizing its completed trials. The content for the movies will be drawn from the vast archive of video and audio recordings of the Tribunal's proceedings. The movies will be part of the campaign to better inform Rwandans of the work of the Tribunal and to break the cycle of impunity by demonstrating visually that those most responsible for the genocide and its accompanying ideology of ethnic hatred have been judged and sentenced to punishment by an impartial tribunal.

VI. Conferences and exhibitions

13. In a bid to honour the memories of those who perished in the 1994 Rwanda genocide and to ensure that the world fights against impunity, the International Criminal Tribunal for Rwanda has participated in worldwide conferences and other events that are aimed at garnering more support among the international community for international justice and the bodies that contribute to its realization. In April 2005, senior officials of the Tribunal participated in a conference hosted by the New England School of Law in the United States of America to examine the jurisprudence of the Tribunal and to commemorate the tenth anniversary of its establishment.

14. A comprehensive exhibition of the Tribunal's work to date is planned for Rwanda in 2005. The exhibition will be presented in all provinces in Rwanda.

VII. Conclusion

15. Within the framework of Security Council resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004 (the completion strategies), Member States should, as part of the completion strategy, assist in strengthening national jurisdictions to improve their capacity to prosecute cases of intermediate and lower ranks of accused transferred by the International Criminal Tribunal for Rwanda.

16. Member States should be sensitized in order to provide the Tribunal with adequate resources that will enable the sustainable implementation of the Tribunal's outreach programme in Rwanda.

17. The Government of Rwanda may wish to consider housing the provincial information centres that the Tribunal plans to set up outside Kigali.

18. An active outreach policy within such United Nations bodies as the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Information Centres, the United Nations Children's Fund, the United Nations Fund for Population Activities and the World Health Organization should be pursued to fully support the Tribunal's outreach programme and completion strategy, especially in relation to witness support measures.